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PATENT TRADEMARK OFFICE

deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Box Missing Parts, Washington, D.C. 20231, on this 24th day of April, 2001. Typed or Printed Name of Person Signing this Certificate:

Wendy A. Frick

Signed: Wendy a. Grick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Examiner: Not yet assigned
Galloway, et al.)
Serial No.: 09/747,521) Group Art Unit: 1645
)
Filed: December 21, 2000)
)
For: METHODS FOR PROTECTION) Attorney Docket No.: 22727/04079
AGAINST LETHAL INFECTION)
WITH BACILLUS ANTHRACIS)

Assistant Commissioner for Patents Box Missing Parts Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts dated March 6, 2001, applicants respectfully submit the enclosed executed Declaration and Power of Attorney, substitute Abstract which does not exceed 150 words in length, Statement Regarding Sequence Listing, paper copy of Sequence Listing and a Computer Readable Form (CRF) of the Sequence Listing. Applicants filed the above-described application and affirmatively asserted small entity status by checking the appropriate box on the application cover sheet. The Patent Office has requested in the above-referenced Notice to File Missing Parts that Applicants provide a small entity statement in order to qualify for the reduced small entity fee, or alternatively pay the large entity fee. According to the amended rule relating to small entities, 37 C.F.R. §1.27, effective September 08, 2000, Applicants are not required to provide a small entity statement in order to properly claim small

entity status. Applicants are enclosing checks for \$420.00 as payment of the basic application filing fee and the appropriate surcharge and \$170.00 as payment of the additional claims fees. Applicants believe that no further action is required to satisfy the filing requirements in connection with the above-described application. A copy of the Notice to File Missing Parts received from the Patent Office is also enclosed.

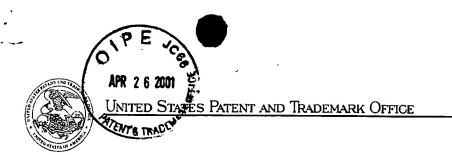
If additional fees are required please charge them to our Deposit Account No. 03-0172. Please credit any overpayment to same Deposit Account. A duplicate of this paper is attached.

Respectfully submitted,

Date: (124200)

Pamela A. Docherty, Reg. No. 40,59

(216) 622-8416



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231

www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/747,521

12/21/2000

Darrel R. Galloway

22727/04079

CONFIRMATION NO. 9991

24024 CALFEE HALTER & GRISWOLD, LLP 800 SUPERIOR AVENUE SUITE 1400 CLEVELAND, OH 44114

FORMALITIES LETTER

OC000000005829211

04/27/2001 KDEKESS1 00000051 09747521

Date Mailed: 03/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The statutory basic filing fee is missing.
 Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

Total additional claim fee(s) for this application is \$340.

■ \$180 for 10 total claims over 20. 01 FC::201 02 FC::205 65::00 GP
■ \$160 for 2 independent claims over 3 . 03 FC::202 60::00 GP
■ cath or declaration is missing 04 FC::203 90::00 GP

The oath or declaration is missing.

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1180.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal

MAR 1 2 2001

C.J.L. I.P. DEPT.